

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA**

BURKE BOWERS, et al.

Plaintiffs,

v.

BB&T CORPORATION, et al.

Defendants.

No. 1:15-cv-732-CCE-JEP

BREWSTER SMITH, JR., et al.,

Plaintiffs,

v.

BB&T CORPORATION, et al.,

Defendants.

No. 1:15-cv-841-CCE-JEP

PLAINTIFFS' MOTION FOR CLASS CERTIFICATION

Plaintiffs Brewster Smith, Jr., Erik Gavidia, Stephanie Gavidia, Doris Kirouac, Paula Bridges, Nancy Johnson, Kerri Greaner, Burke Bowers, Robert Sims, Stacy Holstein, Jeffrey Stauffer, and Patricia Wells move that the Court certify all claims in this action as a class action under Federal Rule of Civil Procedure 23(b)(1)(A) or (B).

Plaintiffs move that the class be defined as follows:

All current and former participants and beneficiaries of the BB&T Corporation 401(k) Savings from January 1, 2007 through the date of judgment, who were injured by the conduct alleged in the Second Amended Complaint, excluding the Defendants.

Plaintiffs also move that the Court appoint each of them as representatives of this class and appoint their attorneys – Schlichter, Bogard & Denton LLP – as lead counsel and Nichols Kaster as additional counsel for the class under Federal Rule of Civil Procedure 23(g). The facts and law supporting this Motion are set forth in the Memorandum in Support of Plaintiffs’ Motion for Class Certification, filed herewith.

April 10, 2017

Respectfully submitted,

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CERTIFICATE OF SERVICE

I certify that on April 10, 2017, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will automatically send notification of filing to all counsel of record.

/s/ Troy A. Doles